

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

APR 14 2004
w. for
Deputy Clerk

HI-TECH PHARMACEUTICALS, INC.,

Plaintiff,

v.

M.D. SCIENCE LAB, L.L.C.

Defendant.

Civil Action No.

1:04-CV-0191 -CC

ORIGINAL

NOTICE OF DISMISSAL

Pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, Plaintiff

Hi-Tech Pharmaceuticals, Inc. hereby **dismisses with prejudice** its claims in this
action.

Respectfully Submitted,

Michael J. Powell

Georgia State Bar No. 586275

Attorney for Plaintiff

Baker Donelson Bearman
Caldwell & Berkowitz, P.C.
Five Concourse Parkway
Suite 900
Atlanta, Georgia 30328
(678) 406-8700

Entered as dismissed pursuant to
Rule 41(a)(1)(ii), F.R.C.P.

Luther D. Thomas, Clerk

By: V. Shano
Deputy Clerk

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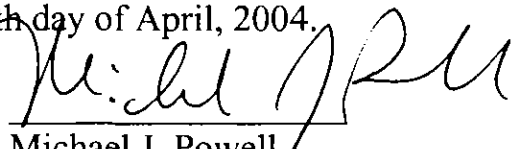
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **Notice of Dismissal with Prejudice** was furnished as indicated below via U.S. Mail, postage-paid, to the following counsel of record:

Christopher P. Bussert, Esq.
Kilpatrick Stockton LLP
Suite 2800
1100 Peachtree Street
Atlanta, Georgia 30309-4530

this 14th day of April, 2004.



Michael J. Powell
Counsel for Plaintiff